

and stand rejected. Claims 26-46 are rejected under the judicially-created doctrine of obviousness-type double patenting, and claims 47-55 are rejected under 35 U.S.C. §103(a). Claims 47-55, directed to certain novel polyolefin copolymers, are herewith cancelled, without prejudice. Reconsideration is respectfully requested of the rejection of claims 26-46, which are directed to novel methods of preparing certain block copolymers using a certain catalyst (as recited in the claims).

Rejection of claims 47-55 under 35 U.S.C. § 103(a):

Claims 47-55 were rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,391,629 (Turner *et al.*). Without conceding the merits of this rejection as asserted by the Examiner, claims 47-55 are herewith cancelled by this amendment. Thus, the rejection is rendered moot.

Rejection of claims 26-46 the judicially-created doctrine of obviousness-type double patenting:

Claims 26-46 were rejected by the Examiner under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 5,698,634 (Yasuda *et al.*) ("the '624 patent"). The Examiner asserted (p. 3) that the process for preparing a copolymer recited in the '634 patent claims was not patentably distinct from claims 26-46. Separately, the Examiner also concluded it would have been "obvious" to a skilled artisan to conduct the process of claims 1-9 in the '634 patent utilizing a hydride complex catalyst (as recited in claims 26-46 of the present application). For at least the reasons below, the Applicants respectfully disagree with these assertions and conclusions.